



JACKIE LACEY
LOS ANGELES COUNTY DISTRICT ATTORNEY

HALL OF JUSTICE
211 WEST TEMPLE STREET LOS ANGELES, CA 90012 (213) 974-3600

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

February 02, 2016

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

26 February 2, 2016


PATRICK OGAWA
ACTING EXECUTIVE OFFICER

Dear Supervisors:

AUTHORIZE THE DISTRICT ATTORNEY TO ACCEPT ADDITIONAL GRANT FUNDS FROM THE CALIFORNIA OFFICE OF EMERGENCY SERVICES (Cal OES) FOR THE VICTIM-WITNESS ASSISTANCE PROGRAM (VWAP) AND APPROVE THE APPROPRIATION ADJUSTMENT FOR FISCAL YEAR (FY) 2015-16 (ALL DISTRICTS) (4-VOTES)

SUBJECT

This Board Letter requests authority for the District Attorney's Office (DA) to accept additional grant funds totaling \$1,810,793 for VWAP in FY 2015-16. The DA will receive \$1,358,095 (75%) and the Los Angeles City Attorney (City) will receive \$452,698 (25%) as a sub grantee. The additional grant funds will help continue VWAP's commitment to assist victims of crime by alleviating trauma and the devastating effects of crime on the lives of victims and their families. In addition, approval of the Appropriation Adjustment in the amount of \$1,358,000 is requested.

IT IS RECOMMENDED THAT THE BOARD:

1. Authorize the District Attorney (DA), on behalf of the County of Los Angeles, to accept additional grant funds from Cal OES for the period of July 1, 2015 to June 30, 2016, in the amount of \$1,810,793 (VOCA federal funds) for VWAP. The DA will receive \$1,358,095 (75%) and the City will receive \$452,698 (25%) as a sub grantee. There is no required match for this grant.
2. Approve the attached Appropriation Adjustment in the amount of \$1,358,000 to allocate additional funding for VWAP.
3. Approve interim ordinance authority for fifteen (15) positions: one (1) Assistant Program Administrator; one (1) Senior Typist-Clerk; one (1) Intermediate Typist-Clerk; one (1) Staff Assistant II; two (2) Supervising Victim Services Representatives; and nine (9) Victim Services Representative

It pending allocation by CEO Classification Division.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to continue VWAP's commitment to assist victims of crime by alleviating trauma and the devastating effects of crime on the lives of victims and their families for residents of Los Angeles County.

On October 20, 2015, Cal OES notified the DA of the additional funds available to VWAP. On November 20, 2015, an application for acceptance of additional funding was submitted to Cal OES.

Board approval is required to accept additional grant funds for VWAP from Cal OES for FY 2015-16. The Request for Appropriation Adjustments is needed in order to align the DA's budget with the full amount awarded for the program.

Interim ordinance authority will allow for the expedited hiring of the fifteen (15) positions.

Implementation of Strategic Plan Goals

Approval of the recommended actions is consistent with the Los Angeles County's Strategic Plan Goal No. 1, Operational Effectiveness/Fiscal Sustainability: maximize the effectiveness of the processes, structure, operations, and strong fiscal management to support timely delivery of customer-oriented and efficient public services; and Goal No. 3, Integrated Services Delivery: maximize opportunities to measurably improve client and community outcomes and leverage resources through the continuous integration of health, community, and public safety services.

FISCAL IMPACT/FINANCING

Cal OES awarded the DA additional grant funding totaling \$1,810,793 for VWAP in FY 2015-16. Of this amount, the DA will receive \$1,358,095 (75%) and the City will receive \$452,698 (25%) as a sub grantee. There is no required match for this grant. With the additional funding, the total amount of grant funds changes from \$4,177,805 to \$5,988,598.

\$785,521 of the DA's Appropriation Adjustment of \$1,358,000 will be used for Salary and Employee Benefits (S&EB) and fifteen new positions consisting of: one Assistant Program Administrator funded at 100%; one Senior Typist Clerk funded at 100%; one Intermediate Typist Clerk funded at 100%; one Staff Assistant II funded at 100%; two Supervising Victim Services Representatives funded at 100%; and nine Victim Services Representative IIs funded at 100%. These additional positions will be filled with exceptional and highly skilled employees required to provide quality comprehensive services to victims and witnesses of crime. These positions will be requested in the FY 2016-17 Recommended Budget, \$572,479 will be used for Operating Costs.

If funding for this program were to be terminated, an evaluation would be conducted to determine whether the program would either be continued with costs absorbed by the department, or discontinued with the reallocation of staff to vacant budgeted positions. Payments by the County to the City, as a sub grantee, are contingent on the availability of State funding. If the County does not receive the full amount from the State, the City has acknowledged that its portion of the grant will be reduced in an amount solely to be determined

by the County.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Pursuant to Penal Code §13835.2, VWAP has been the major provider of comprehensive services to victims of crime in Los Angeles County since 1977. VWAP was established to implement a decentralized, prosecution-based victim assistance program to provide mandatory and optional victim services throughout Los Angeles County.

VWAP is structured to meet the needs of victims and witnesses as they enter the criminal justice system; to help stabilize them emotionally and financially in order to minimize trauma. As mandated by statute, Victim Services Representatives (VSRs) provide direct services to victims of all types of crime. They also assist a large number of victims living in poverty who have immediate needs for intensive assistance, including basic subsistence, witness protection and relocation. The growing number of people living in poverty in Los Angeles County, particularly children and elders, contributes to the increased demand for victim services. Additionally, the high number of violent crimes in Los Angeles County creates a crucial need for specialized victim advocacy services including assistance to the families of homicide victims, victims of gang-related crimes and child victims.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This program does not propose attorney staff augmentation. Therefore, the District Attorney's Office is not subject to the Board Motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Departments.

CONCLUSION

Following Board approval, the Executive Officer-Clerk of the Board is requested to return two copies of the adopted Board letter to Samuel Han, Contracts and Grants Unit, District Attorney's Office, 211 West Temple Street, Suite 200, Los Angeles, California 90012.

Any questions may be directed to Mr. Han at (213) 257-2806.

The Honorable Board of Supervisors

2/2/2016

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Respectfully submitted,

A handwritten signature in black ink, reading "Jackie Lacey". The signature is written in a cursive, flowing style. The first name "Jackie" is written with a large, looped 'J' and the last name "Lacey" follows in a similar cursive script.

JACKIE LACEY

District Attorney

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Enclosures

c: Executive Officer, Board of Supervisor
Chief Executive Officer
County Counsel

CERTIFICATION OF ASSURANCE OF COMPLIANCE

Victims of Crime Act (VOCA) Fund

The applicant must complete a Certification of Assurance of Compliance-VOCA (Cal OES 2-104f), which includes details regarding Federal Grant Funds, Equal Employment Opportunity Program, Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, Proof of Authority from City Council/Governing Board, Civil Rights Compliance, and the special conditions for Subaward with the above mentioned fund. The applicant is required to submit the necessary assurances and documentation before finalization of the Grant Subaward. In signing the Grant Subaward Face Sheet, the applicant formally notifies Cal OES that the applicant will comply with all pertinent requirements.

Resolutions are no longer required as submission documents. Cal OES has incorporated the resolution into the Certification of Assurance of Compliance, Section VII, entitled, "Proof of Authority from City Council/Governing Board." The Applicant is required to obtain written authorization (original signature) from the City Council/Governing board that the official executing the agreement is, in fact, authorized to do so, and will maintain said written authorization on file and readily available upon demand. This requirement does not apply to state agencies.

CERTIFICATION OF ASSURANCE OF COMPLIANCE
Victims of Crime Act (VOCA) Fund

I, JACKIE LACEY hereby certify that
(official authorized to sign Subaward; same person as Section 14 on Subaward Face Sheet)

SUBRECIPIENT: COUNTY OF LOS ANGELES

IMPLEMENTING AGENCY: DISTRICT ATTORNEY

PROJECT TITLE: VICTIM WITNESS ASSISTANCE PROGRAM

is responsible for reviewing the *Subrecipient Handbook* and adhering to all of the Subaward requirements (state and/or federal) as directed by Cal OES including, but not limited to, the following areas:

I. Federal Grant Funds

Subrecipients expending \$750,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Uniform Guidance 2 CFR Part 200, Subpart F and are allowed to utilize federal grant funds to budget for the audit costs. See Section 8000 of the Subrecipient Handbook for more detail.

- ☒ The above named Subrecipient receives \$750,000 or more in federal grant funds annually.
- ☐ The above named Subrecipient does not receive \$750,000 or more in federal grant funds annually.

II. Equal Employment Opportunity – (*Subrecipient Handbook Section 2151*)

It is the public policy of the State of California to promote equal employment opportunity by prohibiting discrimination or harassment in employment because of race, religious creed, color, national origin, ancestry, disability (mental and physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, sex, sexual orientation, denial of family medical care leave, denial of pregnancy disability leave, or age (over 40). **Cal OES-funded projects certify that they will comply with all state and federal requirements regarding equal employment opportunity, nondiscrimination and civil rights.**

Please provide the following information:

Equal Employment Opportunity Officer: DENISE WILLIAMS

Title: SENIOR DEPARTMENT EMPLOYEE RELATIONS REPRESENTATIVE

Address: 211 W TEMPLE ST, STE 900, LOS ANGELES, CA 90012-3205

Phone: (213) 257-3025

Email: DEWILLIAMS@DA.LACOUNTY.GOV

III. Drug-Free Workplace Act of 1990 – (*Subrecipient Handbook, Section 2152*)

The State of California requires that every person or organization subawarded a grant or contract shall certify it will provide a drug-free workplace.

IV. California Environmental Quality Act (CEQA) – (*Subrecipient Handbook, Section 2153*)

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.*) requires all Cal OES funded projects to certify compliance with CEQA. Projects receiving funding must coordinate with their city or county planning agency to ensure that the project is compliance with CEQA requirements.

V. Lobbying – (*Subrecipient Handbook Section 2154*)

Cal OES grant funds, grant property, or grant funded positions shall not be used for any lobbying activities, including, but not limited to, being paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.

VI. Debarment and Suspension – (*Subrecipient Handbook Section 2155*) (*This applies to federally funded grants only.*)

Cal OES-funded projects must certify that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department of agency.

VII. Proof of Authority from City Council/Governing Board

The above-named organization (Applicant) accepts responsibility for and will comply with the requirement to obtain a signed resolution from the city council/governing board in support of this program. The applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of Cal OES, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Subaward, including civil court actions for damages, shall be the responsibility of the grant Subrecipient and the authorizing agency. The State of California and Cal OES disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from Cal OES shall not be used to supplant expenditures controlled by the city council/governing board.

The applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The applicant is also required to maintain said written authorization on file and readily available upon demand.

VIII. Civil Rights Compliance

The Subrecipient complies with all laws that prohibit excluding, denying or discriminating against any person based on actual or perceived race, color, national origin, disability, religion, age, sex, gender identity, and sexual orientation in both the delivery of services and employment practices and does not use federal financial assistance to engage in explicitly religious activities.

IX. Special Condition for Grant Subaward with Victims of Crime Act (VOCA) Funds

- **Computer Network Requirement:** The recipient understands and agrees that (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any federal, state, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
- **Prohibit use of funds for ACORN and its subsidiaries:** Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
- **Text Messaging Policy:** Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and subrecipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
- **Nondiscrimination in programs involving students:** The recipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.
- **Registration with the System for Award Management and Universal Identifier Requirements:** The recipient agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OJP). The recipient also agrees to comply with applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/sam.htm> (Award condition: Registration with the System for Award Management and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural

person (i.e., unrelated to any business or nonprofit organization that he or she may own or operate in his or her name).

- VA OCFO Access: The Grantee authorizes Office for Victims of Crime (OVC) and/or the Office of the Chief Financial Officer (OCFO), and its representatives, access to and the right to examine all records, books, paper or documents related to the VOCA grant. The State will further ensure that all VOCA subgrantees will authorize representatives of OVC and OCFO access to and the right to examine all records, books, paper or documents related to the VOCA grant.
- Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct: The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by mail: Office of the Inspector General, U.S. Department of Justice Investigations Division, 950 Pennsylvania Avenue, N.W., Room 4706, Washington, DC 20530; email: oig.hotline@usdoj.gov; hotline: (contact information in English and Spanish): 800-869-4499; or hotline fax: 202-616-9881. Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

All appropriate documentation must be maintained on file by the project and available for Cal OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Subrecipient may be ineligible for subaward of any future grants if the Cal OES determines that any of the following has occurred: (1) the Subrecipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

CERTIFICATION

I, the official named below, am the same individual authorized to sign the Subaward [Section 14 on Grant Subaward Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant Subrecipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

Authorized Official's Signature: _____



Authorized Official's Typed Name: JACKIE LACEY

Authorized Official's Title: DISTRICT ATTORNEY

Date Executed: _____

4/29/16

Federal Employer ID #: 95-6000927

Federal DUNS # 781310990

Current Central Contractor Registration Expiration Date: JUNE 17, 2016

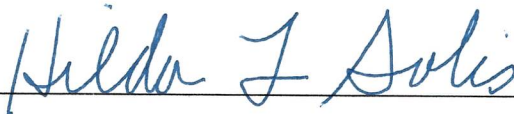
Executed in the City/County of: LOS ANGELES

AUTHORIZED BY: (not applicable to State agencies)

- ☐ City Financial Officer
☐ City Manager
☒ Governing Board Chair

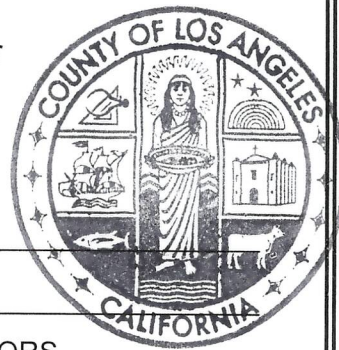
- ☐ County Financial Officer
☐ County Manager

Signature: _____



Typed Name: HILDA L. SOLIS

Title: CHAIR, LOS ANGELES COUNTY BOARD OF SUPERVISORS



APPROVED AS TO FORM:

By



JOSEPH A. LANGTON
Principal Deputy County Counsel
Law Enforcement Division

Los Angeles County Chief Executive Office
Grant Management Statement for Grants Exceeding \$100,000

Department: District Attorney

Grant Project Title and Description **VICTIM WITNESS ASSISTANCE PROGRAM (VWAP)**

The VWAP has been the major provider of comprehensive services to victims of crime since 1977. This program was established to create a decentralized, prosecution-based victim assistance program throughout Los Angeles County to assist victims of all types of crime. The District Attorney's Office maintains a close working relationship with its contract subgrantee, the Los Angeles City Attorney, and has maintained long-term professional relationships with law enforcement and prosecutors. VWAP sets goals each year and provides services to approximately 20,000 victims, annually.

Funding Agency
State of California Office of
Emergency Services
(Cal OES)

**Program (Fed. Grant # /State Bill or
Code #)**
Penal Code Section 13835 et seq.

Grant Acceptance Deadline
N/A

Total Amount of Grant Funding: \$5,988,598

County Match: N/A

Grant Period:

Begin Date: July 1, 2015

End Date: June 30, 2016

Number of Personnel Hired Under This Grant:

Full Time: 54

Part Time: 2

Obligations Imposed on the County When the Grant Expires

Will all personnel hired for this program be informed this is a grant-funded program? Yes ☒ No ☐

Will all personnel hired for this program be placed on temporary ("N") items? Yes ☒ No ☐

Is the County obligated to continue this program after the grant expires? Yes ☐ No ☒

If the County is not obligated to continue this program after the grant expires, the Department will:

a) Absorb the program cost without reducing other services Yes ☐ No ☒

b) Identify other revenue sources Yes ☐ No ☒

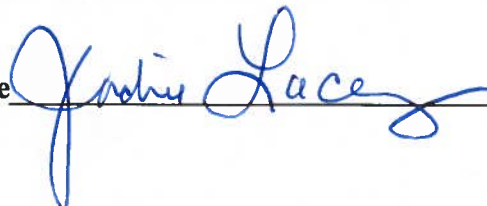
(Describe) _____

c) Eliminate or reduce, as appropriate, positions/program costs funded by the grant. Yes ☒ No ☐

Impact of additional personnel on existing space:

None.

Department Head Signature



Date

1/19/16

PINK

BA FORM 03/13

BOARD OF
SUPERVISORS
OFFICIAL COPY

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPT'S. NO. 370

DEPARTMENT OF DISTRICT ATTORNEY

January 20, 2016

AUDITOR-CONTROLLER:

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR**FY 2015-16****4 - VOTES****SOURCES**

BA DETAIL - SEE ATTACHMENT PAGE 1

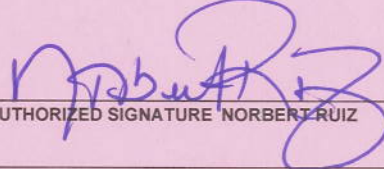
USES

BA DETAIL - SEE ATTACHMENT PAGE 1

SOURCES TOTAL: \$ 1,358,000**USES TOTAL: \$ 1,358,000****JUSTIFICATION**

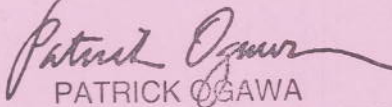
The appropriation adjustment reflects an additional Federal grant award from the California Office of Emergency Services to fund the Victim-Witness Assistance Program (VWAP). The additional grant funds will help continue VWAP's commitment to assist victims of crime by alleviating trauma and the devastating effects of crime on the lives of victims and their families for residents of Los Angeles County.

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES


AUTHORIZED SIGNATURE NORBERT RUIZ

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

26**FEB 02 2016**


PATRICK OGAWA
ACTING EXECUTIVE OFFICER

REFERRED TO THE CHIEF
EXECUTIVE OFFICER FOR ---☐ ACTION☒ RECOMMENDATION

AUDITOR-CONTROLLER

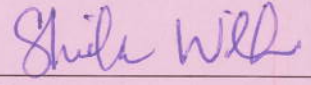
BY

B.A. NO. 077

☒ APPROVED AS REQUESTED☐ APPROVED AS REVISED

CHIEF EXECUTIVE OFFICER

BY


January 21 2016

County of Los Angeles
Request for Appropriation Adjustment
District Attorney
Fiscal Year 2015-16
4-VOTES

SOURCES

District Attorney
A01-DA-90-9001-14030
Federal Other
Increase Revenue \$1,358,000

TOTAL **\$1,358,000**

USES

District Attorney
A01-DA-1000-14030
Salaries & Employee Benefits
Increase Appropriation \$786,000

District Attorney
A01-DA-2000-14030
Services & Supplies
Increase Appropriation \$572,000

TOTAL **\$1,358,000**

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

26

FEB 02 2016


PATRICK OGAWA
ACTING EXECUTIVE OFFICER

BA#077

 1/21/16